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REMARKS/ARGUMENTS

Claims 1-8 are pending in this application. By this Amendment, Applicants amend claim 2.

Claim 8 has been withdrawn from further consideration as being directed to a non-elected species. Applicants respectfully request that the Examiner rejoin and allow claim 8 upon allowance of generic claim 2.

Claims 2, 4 and 6 were rejected under 35 U.S.C. § 102(b) as being anticipated by Applicants' Admitted Prior Art (AAPA). Claims 2, 4 and 6 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Toba (U.S. 4,266,269) in view of AAPA. Claims 1, 3, 5 and 7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over AAP in view of Mochida (JP 63-87715). Applicants respectfully traverse these rejections.

Claim 1 recites:

"A flyback transformer comprising a coil including a secondary multi-layered winding which is divided by a dividing diode, a diode being connected to a low potential-side of said secondary multi-layered winding, wherein **a built-in component is disposed at a position corresponding to a central portion of a winding length of said coil.**" (emphasis added)

Claim 2 has been amended to recite:

"A flyback transformer comprising a coil including a secondary multi-layered winding which is divided by a dividing diode including diode elements and leads, a diode being connected to a low potential-side of said secondary multi-layered winding, wherein **a built-in component is disposed in the vicinity of said dividing diode, such that the built-in component is disposed closer to the diode elements than to the leads of the dividing diode.**" (emphasis added)

With the unique combination and arrangement of elements recited in claims 1 and 2, including "a built-in component is disposed at a position corresponding to a central portion of a winding length of said coil" as recited in claim 1, and "a built-in

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component is disposed in the vicinity of said dividing diode, such that the built-in component is disposed closer to the diode elements than to the leads of the dividing diode" as recited in claim 2, Applicants have been able to provide a compact flyback transformer which exhibits a low-noise dynamic focus output (see, for example, the second full paragraph on page 3 of the originally filed specification).

The Examiner alleged that AAPA teaches all of the features recited in claim 2, including a capacitor disposed in the vicinity of a dividing diode. However, as clearly seen in Prior Art Fig. 4 of the present application, the capacitor 20 is clearly disposed closer to the lead of the dividing diode than to the diode elements. Thus, AAPA clearly fails to teach or suggest the feature of "a built-in component is disposed in the vicinity of said dividing diode, such that the built-in component is disposed closer to the diode elements than to the leads of the dividing diode" as recited in Applicants' claim 2.

Similarly, Fig. 1 of Toba clearly teaches a capacitor 48 which is disposed closer to the leads of the diodes 26, 30, 34, 38 than to the diode elements. Thus, Toba certainly fails to teach or suggest the feature of "a built-in component is disposed in the vicinity of said dividing diode, such that the built-in component is disposed closer to the diode elements than to the leads of the dividing diode" as recited in Applicants' claim 2.

Thus, Applicants respectfully submit that AAPA and Toba, applied alone or in combination, fail to teach or suggest the unique combination and arrangement of elements recited in claim 2.

Accordingly, Applicants respectfully request reconsideration and withdrawal of claims 2, 4 and 6 under 35 U.S.C. § 102(b) over AAPA and under 35 U.S.C. § 103(a) over Toba in view of AAPA.

The Examiner acknowledged that AAPA fails to teach or suggest a capacitor that is disposed at a position corresponding to a central portion of a winding length of the coil. However, the Examiner alleged that Mochida teaches a capacitor 7 disposed at a position corresponding to a central portion of a winding length of the coil 3. Thus, the Examiner concluded that it would have been obvious to use the capacitor arrangement

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of Mochida in AAPA "for the purpose of enhancing a high voltage capacitor." Applicants respectfully disagree.

In contrast to the Examiner's allegations, there would have been absolutely no motivation to combine the alleged teachings of Mochida with AAPA. The Examiner alleged that the motivation to combine Mochida with AAPA would have been "for the purpose of enhancing a high voltage capacitor." However, since AAPA already includes a capacitor, there would have been no motivation to include the capacitor of Mochida in the device of AAPA. Furthermore, the specific location of the capacitor of Mochida has absolutely nothing to do with "enhancing a high voltage capacitor" as alleged by the Examiner.

In fact, Mochida fails to teach or suggest anything at all about the specific location of the capacitor in relation to the coil, and certainly fails to teach or suggest any particularly advantages that are obtained by locating the capacitor at a specific location in relation to the coil. Thus, since no advantages are obtained by the specific location of the capacitor of Mochida and since neither AAPA nor Mochida teaches, suggests or provides any incentive for disposing a built-in component at a position corresponding to a central portion of a winding length of a coil, there would have been no motivation to replace and relocate the capacitor of AAPA with the capacitor of Mochida as recited in Applicants' claim 1. Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention, absent some teaching, suggestion or incentive supporting the combination. In re Geiger, 815 F.2d 686, 2 USPQ 1276, 1278 (Fed. Cir. 1987).

Instead of basing the conclusion of obviousness on actual teachings or suggestions of the prior art and the knowledge of one of ordinary skill in the art at the time the invention was made, the Examiner has improperly used Applicants' own invention as a guide. It is impermissible to use the claimed invention as an instruction manual or 'template' to piece together the teachings of the prior art so that the claimed invention is rendered obvious. This court has previously stated that one cannot use

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hindsight reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention. In re Fritch, 972 F.2d 1260, 23 USPQ 2d 1780, 1784 (Fed. Cir. 1992).

Thus, Applicants respectfully submit that AAPA and Mochida, applied alone or in combination, fail to teach or suggest the unique combination and arrangement of elements recited in claim 1 of the present application.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 1, 3, 5 and 7 under 35 U.S.C. §103(a) over AAPA in view of Mochida.

In view of the foregoing amendments and remarks, Applicants respectfully submit that Claims 1 and 2 are allowable. Claims 3-7 depend upon claims 1 and 2, and are therefore allowable for at least the reasons that claims 1 and 2 are allowable.

In addition, Applicants respectfully submit that claim 2 is generic. Thus, Applicants respectfully request that the Examiner rejoin and allow non-elected claim 8.

In view of the foregoing amendments and remarks, Applicant respectfully submits that this application is in condition for allowance. Favorable consideration and prompt allowance are solicited.

To the extent necessary, Applicant petitions the Commissioner for a Two-month extension of time, extending to June 13, 2004, the period for response to the Office Action dated January 13, 2004.

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The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1353.

Respectfully submitted,

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